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April 14, 2021

VIA ELECTRONIC FILING

Jocelyn G. Boyd, Esquire
Chief Clerk & Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

RE: Public Service Commission Review of South Carolina Code of Regulations
Chapter 103 Pursuant to S.C. Code Ann. Section 1-23-120(J) – S.C. Code Ann.
Regs. 103-300 *et seq.* and 103-400 *et seq.*: Electric Systems and Gas Systems
Docket No. 2020-247-A

Dear Ms. Boyd:

The Office of Regulatory Staff (“ORS”) has reviewed the comments filed by other parties to this docket relating to the Public Service Commission’s (“Commission”) electric and gas regulations. S.C. Code Ann. Regs. 103-300, *et. seq.* and 103-400, *et. seq.* ORS offers the following responses to certain comments of Dominion Energy South Carolina, Inc. (“DESC”), Duke Energy Progress, LLC and Duke Energy Carolinas, LLC (together “Duke”), Piedmont Natural Gas Company, Inc., and the Department of Consumer Affairs. ORS also offers brief comments relating to the draft proposed regulation 103-495 entitled “Construction and/or Extensions of Pipelines” proposed by the Southern Environmental Law Center and supported in comments filed by the Blue Ridge Environmental Defense League, Upstate Forever, Niskanen Center, Property Rights and Pipeline Center, and Mr. Brooks Smith.

1. Reply to Piedmont

Although ORS generally does not believe Piedmont’s recommendations to be unreasonable, ORS does not support Piedmont’s recommendation to amend Regulation 103-421 regarding meter reading by deleting the reference to “not less than twenty-eight nor more than thirty-four days.” ORS believes that this language provides customers with consistency in billing and payments and should be retained.

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2. Reply to Duke

a. Regulations 103-321. Meter Reading

ORS does not support Duke's recommendation to amend Regulation 103-321 regarding meter reading by deleting the reference to "not less than twenty-eight nor more than thirty-four days." ORS believes that this language provides customers with consistency in billing and payments and should be retained.

b. Regulation 103-322. Meter Reading Data

Because Regulation 103-322 establishes basic standards of good practice related to meter reading, Duke's proposed amendment to Regulation 103-322 could have far-reaching effects. Although ORS does not oppose exploring updates to the regulations to expressly address dynamic rate design, ORS does not support Duke's recommendation in its current form.

c. Regulation 103-339. Customer Billing

Because Regulation 103-339 establishes basic standards of good practice relating to customer billing as well as rate design and metering, Duke's proposed amendments could have far-reaching effects. Although ORS does not oppose exploring revisions to the process or requirements for rate structures, metering, and/or billing, ORS does not support Duke's proposed amendments in their current form.

d. Regulation 103-352. Procedures for Termination of Service.

Because Regulation 103-352 establishes basic procedures relating to termination of service, ORS does not currently support Duke's recommended changes to 103-352.g. Although Duke states that its requested changes address how disconnections are conducted with AMI meters, ORS believes that the exception currently built into Regulation 103-352.g make Duke's amendments unnecessary.

e. Regulation 103-373. Test Procedures and Accuracies.

ORS does not currently support Duke's proposed amendments to Regulation 103-373 to revise the standards relating to meter testing procedures and required levels of accuracy. ORS would require additional information before supporting any change. ORS would note that it would need to acquire new meter reading equipment and seek additional staff training if Duke's proposed regulation were implemented.

3. Reply to DESC

In DESC's recommendation #3, DESC recommends that the Commission define "complaint" for purposes of Articles 3&4 of Chapter 103 based on the framework provided in S.C. Code Ann. 103-824. DESC's recommendation would formalize the customer complaint resolution process outlined in Regulations 103-345 and 103-445 dealing with complaints between the customer, the utility, and potentially ORS, by applying the framework provided in Regulation 103-824, which

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governs written customer complaints filed with the Commission. ORS opposes this recommendation in its current form.

The existing process provided in Regulations 103-345 and 103-445 works well in ORS's experience. Regulations 103-345 and 103-445 explain that complaints concern "the charges, practices, facilities, or service of the [] utility". The broad scope of these Regulations allows customers to voice concerns related to their service and seek resolution directly with the utility, and it allows the utility to "review and analyze its procedures and actions." The contents of a complaint under Regulation 103-824 are outlined more prescriptively because that regulation establishes procedures relating to formal Commission proceedings.

DESC's proposal to further formalize the procedures for dealing with routine customer complaints would be more burdensome—on customers, utilities, and ORS—than the existing process. ORS is concerned that the effect of DESC's recommendation would be reduced customer access to efficient dispute resolution.

4. Reply to DCA

ORS appreciates the comments of the DCA relating to the Commission's electric and gas regulations. In general, it has been ORS's experience that the electric and gas regulations as applied in practice substantially accomplish the objectives outlined by the DCA to be achieved through its proposed amendments. ORS does not believe the proposed amendments would be beneficial at this time.

5. Proposed Regulation on Construction and/or Extension of Pipelines

ORS appreciates the strong demonstration of interest relating to this proposal. However, the Commission does not currently have jurisdiction or authority delegated to it to promulgate the proposed regulation related to intrastate pipeline siting or with respect to the eminent domain process under Title 28 of the South Carolina Code.

* * *

ORS appreciates the opportunity to submit these reply comments and looks forward to participating in the April 16th workshop.

Sincerely,

s/Alexander W. Knowles

Alexander W. Knowles

cc: All Parties of Record (via e-mail)
 David Butler, Esquire (via e-mail)